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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/136,760	10/15/93	UDDENFELDT	027500698

LM61/0320

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EXAMINER  
SAFOUREK, B

ART UNIT

2732

PAPER NUMBER

26

DATE MAILED:

03/20/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.

08/136,760

Applicant(s)

Uddenfeldt et al

Examiner

Safoureh

Group Art Unit

2732

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on February 10, 1998
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 1-63 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☒ Claim(s) 1-36 and 60-62 is/are allowed.
- ☒ Claim(s) 37-59 and 63 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
  - ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

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1. The new declaration received February 18, 1998 satisfies 37 C.F.R. §1.175(b)(1) as implemented on December 1, 1997.
2. Claims 37-59 and 63 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. These claims call for handover of a mobile station between base stations that cannot be found in the specification. Claim 57 does not use the term "handover" or "handoff" but it has termination of one base station signal in favor of a second base station which amounts to a handoff.
3. The protest filed January 29, 1998 has been reviewed. Claims 37-59 and 63 do recite handover that does not appear to be disclosed. Claims 13, 14, 18, 29, 30 and 34 do not claim handover as the transmission is into a cell (claim 13, lines 3 and 14; claim 14, lines 4 and 6; claim 18, lines 6 and 11; claim 29, lines 3, 10 and 15; claim 30, lines 4, 6 and 7 and claim 34, lines 6 and 10-011). These claims have transmission into one cell by two base stations and no handover.

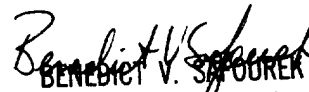
Any inquiry concerning this communication or earlier communications from the examiner should be directed to B. V. Safourek whose telephone number is (703) 305-4364. The examiner can normally be reached on Tuesday-Friday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Mondays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas Olms, can be reached on (703) 305-4703. The appropriate fax phone number for the organization where this application or proceeding is assigned is (703) 305-9051.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

B. V. Safourek/skf  
March 3, 1998

  
BENEDICT V. SAFOUREK  
PRIMARY EXAMINER  
GROUP